

PATENT

MS164190.03/MSFTP209USB

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Applicant(s): Eric J. Horvitz, *et al.*

Examiner: Apu M. Mofiz

Serial No: 10/764,088

Art Unit: 2165

Filing Date: January 23, 2004

Title: SYSTEM AND METHOD FOR DEFINING, REFINING, AND PERSONALIZING COMMUNICATIONS POLICIES IN A NOTIFICATION PLATFORM

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

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**TERMINAL DISCLAIMER TO OVERCOME A DOUBLE  
PATENTING REJECTION (37 CFR 1.321(c))**

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Dear Sir:

I, Jeffrey R. Sadlowski, represent that I am an attorney of record for application Serial No. 10/764,088 filed January 23, 2004, entitled SYSTEM AND METHOD FOR DEFINING, REFINING, AND PERSONALIZING COMMUNICATIONS POLICIES IN A NOTIFICATION PLATFORM. The terminal part of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the

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full statutory term defined in 35 U.S.C. 154 to 156 and 173 of United States Patent issuing to U.S. Patent No. 6,745,193, as presently shortened by any terminal disclaimer, is hereby disclaimed, except as provided below, and it is hereby agreed that any patent so granted on the above-identified patent application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,745,193, this agreement to run with any patent granted on the above-identified patent application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, disclaimant does not disclaim any terminal part of any patent granted on the above-identified patent application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of U.S. Patent No. 6,745,193, as presently shortened by any terminal disclaimer in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by a terminal disclaimer, except for the separation of legal title stated above.

A credit card payment form is filed concurrently herewith in connection with all fees associated with this Terminal Disclaimer. In the event any additional fees may be due and/or are not covered by the credit card, the Commissioner is authorized to charge such fees to Deposit Account No. 50-1063 [MSFTP209USB].

Respectfully submitted,  
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